



# **City of Whittier**

## **Special Council Meeting Packet**

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**May 11, 2022**



# THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

P.O. Box 608 • Whittier, Alaska 99693 • (907) 472-2327 • Fax (907) 472-2404

Date May 11, 2022 Special Meeting

5:30 p.m.

Council Chambers

Dave Dickason  
Mayor  
Term Expires 2022

Peter Denmark  
Vice Mayor  
Term Expires 2023

Victor Shen  
Council Member  
Term Expires 2024

Tom Wagner  
Council Member  
Term Expires 2022

Daniel Blair  
Council Member  
Term Expires 2022

David Pinqouch  
Council Member  
Term Expires 2023

Cathy McCord  
Council Member  
Term Expires 2024

James Hunt  
City Manager

Jackie C. Wilde  
Assistant City  
Manager

Holly Wells  
City Attorney

**1. CALL TO ORDER**

**2. OPENING CEREMONY**

**3. ROLL CALL**

**4. CITIZEN COMMENTS ON ANY SUBJECT EXCEPT THOSE ITEMS SCHEDULED FOR PUBLIC HEARING** *[Those who have signed in will be given the first opportunity to speak. Time is limited to 2 minutes per speaker and 36 minutes total time for this agenda item.]*

**5. APPROVAL OF AGENDA AND CONSENT AGENDA** *[Approval of Consent Agenda passes all routine items indicated by asterisk (\*). Consent Agenda items are not considered separately unless a council member so requests. In the event of such a request, the item is returned to the Regular Agenda]*

**6. PRESENTATIONS AND REPORTS - None**

**7. PUBLIC HEARINGS (NON-ORDINANCE)-** *[Those who have signed in will be given the first opportunity to speak. Time is limited to 5 minutes per speaker. Anyone wishing to speak a second time may do so only after all other persons have spoken, and then for 1 minute.]*

**8. NEW BUSINESS**

**A. RESOLUTIONS**

**1. RESOLUTION 2022-017** – A Resolution Of The City Council Of The City Of Whittier, Alaska, Approving Emergency Repairs To Road And Storm Drain Systems Resulting From Abandoned Federal Infrastructure In An Amount Not To Exceed \$100,000, And Appropriating Funds...**Pg 3**

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**2. RESOLUTION 2022-018**- A Resolution Of The City Council Of The City Of Whittier, Alaska, Authorizing And Appropriating An Additional Payment Of \$63,800 To The United States Army Corps Of Engineers For An Increase In The Appraised Value Of The Tank Farm Property.....**Pg 5**

**B. OTHER NEW BUSINESS ITEMS – None**

**9. COUNCIL COMMENTS**

**10. CITIZEN COMMENTS** *[Those who have signed in will be given the first opportunity to speak. Time is limited to 5 minutes per speaker]*

**11. COUNCIL AND ADMINISTRATION RESPONSE TO CITIZEN COMMENTS**

**12. ADJOURNMENT**

**CITY OF WHITTIER, ALASKA  
RESOLUTION 2022-017**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WHITTIER, ALASKA, APPROVING EMERGENCY REPAIRS TO  
ROAD AND STORM DRAIN SYSTEMS RESULTING FROM  
ABANDONED FEDERAL INFRASTRUCTURE IN AN AMOUNT NOT  
TO EXCEED \$100,000, AND APPROPRIATING FUNDS**

**WHEREAS**, the City Council authorized a construction contract with GMC Contracting, Inc. via Resolution #31-2021 passed on September 21, 2021 in response to competitive sealed bids, to perform repairs to damage to City infrastructure resulting from the November 2018 earthquake; and

**WHEREAS**, in the process of replacing damaged storm drains and sink holes in local roads, the contractors have discovered abandoned wooden fuel tanks, steam pipes and the like resulting from the federal government's operations in Whittier in the mid-1900s, which, when combined with the earthquake, have resulted in exacerbating damage to local roads, storm drain systems, sidewalks, etc; and

**WHEREAS**, this damage is not something that is likely to be covered either by the City's insurance policies or the State's earthquake damage declaration due to the existence of abandoned federal infrastructure; and

**WHEREAS**, having available contractors on-site performing earthquake-related work makes it significantly more cost-effective for the City to amend the existing infrastructure repair contract to avoid additional mobilization and demobilization costs; and

**WHEREAS**, the magnitude of the added work continues to be identified as the contractor unearths additional abandoned items contributing to the need for repairs, and the City desires to request Council authorization to repair whatever work arises, in a not-to-exceed amendment to the contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Whittier City Council that repairs to local City roads, storm drains, sidewalks, etc. are hereby authorized in accordance with the municipal code's emergency purchasing provisions, WMC 3.32.210(C).

**Section 1.** The City Manager is hereby authorized to approve an amendment to the contract with GMC Contracting, Inc. to perform emergency repairs resulting from abandoned federal infrastructure in an amount not to exceed \$100,000.

**Section 2.** Funding in the amount not to exceed \$100,000 is hereby approved as a transfer-out of the General Fund Major Repair and Replacement Reserves account no. 72-000-3000 to the Public Works road repairs account no. 01-600-7210.

**CITY OF WHITTIER, ALASKA**  
**RESOLUTION 2022-017**

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**Section 3.** This resolution shall take effect immediately upon adoption.

**PASSED AND APPROVED** by a duly constituted quorum of the Whittier City Council on this 11th day of May, 2022.

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Dave Dickason, Mayor

AYES:

NAYS:

ABSENT:

ABSTAIN:

**ATTEST:**

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Naelene Matsumiya  
City Clerk

**CITY OF WHITTIER, ALASKA  
RESOLUTION 2022-018**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA, AUTHORIZING AND APPROPRIATING AN ADDITIONAL PAYMENT OF \$63,800 TO THE UNITED STATES ARMY CORPS OF ENGINEERS FOR AN INCREASE IN THE APPRAISED VALUE OF THE TANK FARM PROPERTY**

**WHEREAS**, the Whittier City Council approved Resolution #29-2021 on September 21, 2021, authorizing the purchase of approximately 58 acres of land at the Head of the Bay previously known as the Whittier Tank Farm property (“Whittier Tank Farm” or the “Property”) for the amount of \$165,000 based on an appraisal conducted by the US Army Corps of Engineers (“Corps”), and based on the subsequent Deed submitted by the Corps to the City which the City signed and forwarded to the US Army Corps for signature and recording; and

**WHEREAS**, the City submitted payment to the Corps in the amount of \$165,000, the agreed upon fair market value of the property; and

**WHEREAS**, on March 7, 2022, the Corps unexpectedly informed the City that it intended to reappraise the Whittier Tank Farm before it would execute the deed; and

**WHEREAS**, the Corps has represented that it is not bound by the previous formal approval of the Assistant Secretary of the Army and has submitted a new appraised fair market value of the Property of \$228,800, a \$63,800 increase from the Corps’ previous appraisal; and

**WHEREAS**, the City is authorized to acquire property within the City for fair market value; and

**WHEREAS**, the Corps has represented that it will not execute the deed without the additional payment; and

**WHEREAS**, the City has negotiated economic development plans within its borders that rely upon the transfer of the Whittier Tank Farm to the City; and

**WHEREAS**, it is in the City’s best economic interest to meet the Corps’ demands and pay the increase in value.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Whittier, Alaska that:

**Section 1.** The City Council hereby authorizes the City Administration to pay an additional \$63,800 to the Corps to secure the transfer of the Whittier Tank Farm.

**Section 2.** Funding in an additional amount of \$63,800 is hereby appropriated from CPV reserves to the project expense account for land purchase, account no. 23-990-9200.

**CITY OF WHITTIER, ALASKA  
RESOLUTION 2022-018**

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**PASSED AND APPROVED** by a duly constituted quorum of the Whittier City Council this 11<sup>th</sup> day of May 2022.

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Dave Dickason, Mayor

AYES:

NAYS:

ABSENT:

ABSTAIN:

**ATTEST:**

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Naelene Matsumiya  
City Clerk